

ATTORNEY GENERAL'S REPORT

COMMONWEALTH OF MASSACHUSETTS

1889.

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# ANNUAL REPORT

OF THE

*Mass:*  
ATTORNEY-GENERAL *Office*

FOR THE

YEAR 1889.

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## Commonwealth of Massachusetts.

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ATTORNEY-GENERAL'S DEPARTMENT, COMMONWEALTH BUILDING,  
BOSTON, Jan. 15, 1890.

Hon. WILLIAM E. BARRETT, *Speaker of the House of Representatives.*

I have the honor to submit to the General Court the annual report of this department, herewith enclosed.

Very respectfully,

ANDREW J. WATERMAN,  
*Attorney-General.*



# Commonwealth of Massachusetts.

ATTORNEY-GENERAL'S DEPARTMENT, COMMONWEALTH BUILDING,  
BOSTON, Jan. 15, 1890.

*To the Honorable Speaker of the House of Representatives.*

In accordance with section 9 of chapter 17 of the Public Statutes, I have the honor to submit to the General Court the annual report of this department.

The total number of cases that have required the attention of the department is 656. The following table is a classification thereof:—

	1887.	1888.	1889.
Indictments for murder, . . . . .	26	24	23
Exceptions and reports in criminal cases, . .	115	95	93
Information upon relation of public officers,	266	323	409
Information upon relation of private persons,	17	30	22
Miscellaneous, . . . . .	71	85	80
Civil suits, . . . . .	18	20	29
Total, . . . . .	513	577	656

At the time of rendering my last report (Jan. 16, 1889), there were pending indictments for murder, to wit:—

Two against ADOLPH A. ALBRECHT, in Suffolk County. One against ANNIE TOWNES and five against SARAH J. ROBINSON, in Middlesex County.

Those against Albrecht have been *nolle prossed*, he having been convicted, in the superior court, of manslaughter, the same offence charged against him in these indictments for murder.

The one against Annie Townes has been *nolle prossed*, she long since having been discharged upon her personal recognizance.

Those against Sarah J. Robinson have been filed away, subject to further disposition if necessary, she having been tried, convicted and sentenced to be executed upon another indictment. This sentence was subsequently commuted to solitary imprisonment for life, by the Governor and Council, and the prisoner is now in prison at Lowell, as reported in my last annual report.

There were also pending, at the time I rendered my last annual report, two other indictments for murder, to wit:—

One against MICHAEL MAHONEY, in Worcester County, which has been disposed of upon his plea of guilty as is hereinafter mentioned.

One against LINCOLN J. RANDALL, in Franklin County, for the murder of his father, David Marcus Randall, which is still pending. Trial upon this indictment has been postponed from time to time, at the request of the defendant, by reason of sickness and for other good reasons. The court has once appointed a time for the trial, which, owing to unavoidable circumstances, did not take place. It is hoped and expected that a trial will be had at an early day.

THOMAS RIVERS and LOUISA LIGHT of Cheshire in Berkshire County, indicted for the murder of Simon Light, Jr., a fourteen-months-old child, by choking and smothering with a shawl, Sept. 15, 1887, in said Cheshire, as mentioned in my last report, were tried together at Pittsfield, commencing on the fourteenth and ending on the seventeenth day of May last. The trial resulted in a verdict of acquittal of both defendants, by the jury, rendered by my consent after all the evidence upon both sides had been put in. It appeared, substantially, by the evidence, that the child was the offspring of the female defendant by a husband who had deserted her; that the defendants went through the ceremony of marriage, and afterwards lived together in Adams and in Cheshire with the child; that they on foot, she carrying the child in her arms, left Cheshire Sept. 15, 1887, to go to Adams; and when about half-way between Cheshire and Adams the child

was by them buried with a shawl wrapped around it, by the side of a wood road some twelve rods distant from the main road. The child was found by one of the State district police nearly eight months after its burial, and the whole body was in such an advanced state of dissolution that the cause of death could not be ascertained. An autopsy was held upon the body immediately after its discovery, which did not disclose or aid in ascertaining the cause of death. It was claimed on the part of the defendants, — and it seemed to be well established by the testimony of several witnesses, one of whom was the physician who attended upon the child in its earliest infancy, — that it was feeble, and had been subject to fits and spasms; and the defendants both testified that when near the place where the body was found, it had a fit or spasm and died almost instantly, and that they, being without any means to defray the expense of a funeral or common burial, wrapped the body in the shawl and buried it; and that, being fearful of being suspected of murdering the child, they were led to make false statements as to the time and place of its death, which it appeared they did make very soon after its death. The whole evidence created a strong suspicion against the defendants, but there was not sufficient evidence on the part of the Commonwealth or in the case to establish the fact that the child died an unnatural death; and, the burden being upon the government to prove the manner of the death, and that it was by some cause unnatural, I deemed it my duty, as a prosecuting officer, to decline to further prosecute the case, and so stated to the court; and at the request of the defendants' counsel a verdict of acquittal was rendered.

The indictments against DIXON R. COWIE and THOMAS B. McQUAID, in Worcester County, referred to in my last report, have been filed away, subject to be restored to the docket, should there ever be reason therefor.

The indictments which were pending in Norfolk County at the time I came into office, to wit, against DENNIS CARNEY, EMERY WILLIAMS SHAW, and WILLIAM A. LYONS, have been disposed of in the same manner; the defendant Carney having

been sent to a lunatic asylum, and Shaw and Lyons having been allowed to go on their personal recognizance several years ago.

MICHAEL MAHONEY, *alias* WHYTE, of Dudley, Worcester County, hereinbefore referred to, was indicted Oct. 17, 1888, for the murder of Frank F. Spencer, Aug. 19, 1888, by shooting with a pistol, as mentioned in my last annual report. He was arraigned, and counsel was duly assigned for him; and, upon consultation with the district attorney after the defendant had offered to plead guilty to murder in the second degree, it was deemed best to accept such plea; and at Worcester, April 9 last, the defendant, before Mr. Justice Devens, pleaded guilty, and was sentenced to imprisonment in the State Prison for life.

JOHN DALY of West Springfield, in Hampden County, was indicted for murder of Winslow M. Abbott, a police officer, by shooting with a gun, Aug. 31, 1889. The indictment was found and returned into the superior court at Springfield, Sept. 27, 1889. The defendant was arraigned December 2, and pleaded not guilty before Mr. Justice William Allen; and thereupon W. B. Stone and E. P. Kendrick, esquires, of the Hampden bar, were assigned as his counsel, the court having previously appointed December 10 as the time for his trial. Afterwards, upon consultation with the defendant's counsel, and an offer of the defendant to plead guilty to murder in the second degree, and upon advising with the district attorney, I deemed it best to accept such plea; and, upon arrangements being made, the defendant was brought before Mr. Justice Knowlton at Springfield, on December 9 last, and he there retracted his former plea, and pleaded guilty to murder in the second degree, and was then sentenced to imprisonment in the State Prison for the term of his natural life.

LIZZIE BRENNAN of Holyoke, in Hampden County, was indicted for the murder of her son Thomas Brennan by administering to him poison, to wit, arsenic, on June 24, 1889. The indictment was found and returned into the superior court at Springfield, Sept. 27, 1889. Upon my request, the court appointed December 10, at Springfield, for

the trial. On November 30 I saw the defendant in the jail at Springfield, and then caused a special examination as to her health to be made by the prison physician. On December 2, at Springfield, before Mr. Justice William Allen, William H. Brooks, Esq., of the Hampden bar, was assigned as her counsel; and, it being made to appear that the defendant was then too ill to be brought into court to be arraigned, nothing further was then done in the case. She was not tried at the time appointed, on account of her illness, which continued till her death, Jan. 3, 1890.

SALADIN COOK of Wrentham, in Norfolk County, was indicted for the murder of Dennis Ryan, by shooting with a gun, July 17, 1889. This indictment was found and returned into the superior court at Dedham, September 6, and a copy thereof was received by me Oct. 22, 1889; it is still pending, the defendant being held in jail.

WILLIAM HENNESSEY of Boston, in Suffolk County, was indicted for the murder of Catherine Hennessey, Sept. 29, 1889, by kicking and beating. This indictment was found and returned into the superior court in Boston, November 6, and a copy thereof was received by me Nov. 13, 1889; it is still pending, the defendant being held in jail.

All of these defendants, to wit, Randall, Cook and Hennessey, it is now expected will be very soon brought to trial.

*Capital Trials.*—I would again respectfully call the attention of the Legislature to the propriety of changing the law, so that these trials may be had in the superior court before two or three justices, as may be deemed best. As I stated in my last report, the increased and increasing duties of the justice of the supreme judicial court call for a change, which, if made, will not endanger the rights of prisoners; and trials could be more readily obtained at stated terms, and, I believe, more economically conducted.

#### SUITS AGAINST THE COMMONWEALTH.

[Under chapter 195 of the Public Statutes.]

Under chapter 195 of the Public Statutes, as amended by the Acts of 1887, chapter 246, authorizing suits to be brought



against the Commonwealth, the following cases have been filed : —

*William Washburn vs. the Commonwealth*, noticed in my last report, involving the right of the plaintiff to recover, on equitable ground, for certain services alleged to have been rendered at the request of the joint standing committee on the State House of the General Court of 1878. An appropriation of one thousand and fifty dollars was made by the Legislature of 1885 to settle the claim, that sum representing the value of the plans of the petitioner actually taken and used by the State ; and the claimant seeks equitable relief in his present proceeding. The case is still pending.

*Murdock Parlor Grate Company vs. the Commonwealth*. This case involves the claim for damages to building No. 20 Beacon Street, a portion of which is leased to the State, and occupied by the Bureau of Statistics. It is charged that the portion of the building thus occupied was overloaded with documents and papers, so that the floor was caused to settle, to the damage of other parties in the amount claimed, namely, \$247.89. The case has been tried, and is to be reported to the supreme judicial court on questions of law.

*James Adams vs. the Commonwealth*. Suit to recover \$666.50, as the value of certain diseased swine killed by direction of the Board of Cattle Commissioners, and for care and maintenance of other swine kept isolated, as alleged, by direction of said Board. The case has not yet been tried.

*Martin Wesson vs. the Commonwealth*. A claim which has heretofore been before the court, growing out of an alleged breach of contract in respect to prison labor at the time the State Workhouse was temporarily removed from Bridgewater to Westborough. Amount involved, \$5,188.48. It has been heard, but the decision has not yet been rendered.

#### TAX SUITS AGAINST THE WESTERN UNION TELEGRAPH COMPANY.

The case of the Attorney-General *ex rel.* Treasurer *vs.* the Western Union Telegraph Company, involving the tax for the year 1885, which in the last report of the department was noticed as having been appealed by the defendant to the supreme court of the United States, was advanced on the



docket and heard, and has been brought to a substantial termination after a full hearing of the case by said court; and the tax, namely, \$10,618.46, with statutory interest (twelve per cent.) thereon to date of the first decree and costs of suit, has been paid into the treasury of the State. There still remains undetermined in this suit a question of interest, involving several hundred dollars. Interest was allowed by the circuit court at said rate only up to the date of the first decree of the circuit court. I have contended, and believe that the Commonwealth is entitled to interest at the statutory rate of twelve per cent. up to the date of the final decree after the mandate, on the ground that until that date the matter was not adjudicated. This question is now being contested before the supreme court of the United States.

Three other suits against the same company, involving the taxes for the years 1886, 1887 and 1888, were brought by this department in our supreme judicial court, and are now pending by removal by the defendant, in the United States circuit court in the district of Massachusetts. In these cases the company have introduced evidence not offered in the previous suit, upon which it is sought to raise new questions as to the validity of the assessments. These suits have been tried, and decisions thereon are expected to be rendered very soon. The preparation of these cases has developed a manifest defect in the tax law as it has been construed; and I respectfully call your attention to chapter 8, section 40, of the Public Statutes, which provides that telegraph companies shall pay a tax on their corporate franchise at the legal rate of assessment, upon such a portion of the whole valuation of their capital stock as the length of that part of the line lying within this State is proportional to their total mileage of line in and out of the State. In determining this proportion, it has been the custom of the State to take into account the mileage of lines or posts, without regard to the number of wires on the lines or posts. Massachusetts has only about one fifty-fifth part of the total mileage of line or posts, while it has fully one forty-third of the total mileage of wire. Manifestly the mileage of wire is the index of the revenue of the company, and of the extent that the company has exercised its franchise within this State. I respectfully

call your attention to the subject. Another suit has just been instituted in our supreme judicial court against said company, for the taxes for the year 1889.

#### SUIT FOR ABATEMENT OF TAXES.

In the suit of the Suffolk Savings Bank *vs.* the Commonwealth, to recover back a portion of the tax assessed by the State treasurer against said bank, mentioned in my last report, judgment was rendered for the plaintiff, and the same with costs has been paid.

In this case there was involved incidentally the question of whether or not the tax law contemplated that the guaranty fund and undivided profits of savings banks should be included in deposits upon which or according to which the franchise tax is assessed. The court appeared to hold that the word deposits signified "all the funds which the bank holds for investment." In assessing the tax for the year 1889, the treasurer submitted to this department the question of whether or not he should include these moneys, which for that year amounted to nearly fifteen million dollars in the amount upon which the tax was to be assessed. In view of the decision of the court, above referred to, I advised him that said fund should be included; and, in order that the question might receive further judicial consideration, I suggested that a test case be made with one bank, which for that purpose should pay the full tax under protest, and then bring suit under the statute for an abatement. This was done, and the case has been argued, and now awaits final decision in the supreme judicial court.

#### PUBLIC CHARITIES.

In the matter of the trust created by the will of Mrs. Mary Whitney, pending in court at the filing of my last report, the trust has been established, and is being executed.

The questions raised under the will of G. S. Holmes, relating to a trust of about four thousand dollars given for the relief of disabled seamen and soldiers who served in the Union army in the War of the Rebellion, etc., are still pending in the supreme judicial court.

In the case of the will of Henry Barr of Salem, and the trust created thereby, the Marine Society of Salem has been appointed trustee to execute the trust.

In the matter of the petition of St. Paul's Church Society, asking for permission to apply certain trust funds towards the erection of a rectory, no decree has yet been made.

There are, in addition to these cases specially mentioned, several others in which the department has taken part (for an enumeration of which see the tables appended), and which are now pending.

#### MISCELLANEOUS MATTERS.

*Commonwealth vs. the Town of Williamstown.* This is a suit brought by the Commonwealth to recover interest on the scrip or certificates of indebtedness, amounting in all to thirty-three thousand dollars, issued by the town of Williamstown in 1859, in payment of its subscription to the capital stock of the Troy & Greenfield Railroad. The scrip was bought by the Commonwealth soon after its issue as an investment of a portion of the school money. The case has been tried in the superior court, and decision thereon has not yet been rendered. As the present Attorney-General was consulted by the town in this matter prior to his election to said office, the case has been wholly managed and tried by Assistant Attorney-General Bliss.

*New State House.* — By chapter 349 of the Acts of 1888, entitled, "An Act to provide for the better accommodation of the State government in the city of Boston," certain duties were imposed on this department, which have been performed, together with all other labors concerning the carrying into effect the provisions of said Act, as have been requested by the Governor and Council and the State House Commissioners. The titles to the estates taken under the Act have been examined, forms prescribed and examined, notices given, deeds made, and various other matters pertaining to the purposes of the Statute have been attended to, as they from time to time demanded attention.

*Insurance Proceedings.* — The Insurance Commissioner has referred to this department a large number of violations

of chapter 183 of the Acts of 1885, by insurance companies doing business on the assessment plan and under said Act. In all cases injunctions have been obtained, receivers and masters appointed ; and the affairs of the companies are now, with two exceptions, wound up. A large number of other questions and matters have been referred to this department, which have received proper attention.

*Algonquin Club and Back Bay Deeds.* — The case of the Attorney-General *ex rel.* Harbor and Land Commissioners *vs.* the Algonquin Club, whose building is upon the northerly side of Commonwealth Avenue, involving the construction of the conditions and limitations contained in the deeds from the Commonwealth of the Back Bay lands, has been heard and argued, and reported to the full court. The position taken by the club is a novel one, and, if sustained, render the conditions of the deed of peculiar value.

*Additional Laws on Requisition Matters.* — I respectfully recommend that a law be enacted, prohibiting the taking from out the limits of the Commonwealth any alleged fugitive from justice who may be found in the Commonwealth, without a duly issued warrant of surrender from the Governor, based upon requisition papers from the Governor of the State from which the alleged fugitive has fled, and that for any violation of such law proper penalties by imprisonment be prescribed. Such is the law of several other States, and it is, in my opinion, a wise and salutary measure.

*Reports and Bills of Exceptions.* — It is necessary that reports and bills of exceptions in Commonwealth cases, which are to be heard by the full court, should be had by the department in time for examination and for the preparation of briefs for the Commonwealth thereon. In several instances I have not received them until the day before the sitting of the full court. In such cases, if extra time and effort had not been given in the preparation of the cases, a continuance would have been absolutely necessary, and thus in some counties delaying a decision for a year. I recommend that an Act be passed, or the present laws extended, so as to make it the duty of clerks of superior courts to forward to

this department, as soon as may be after allowance, a copy of all bills of exceptions and reports in both civil and criminal cases, in which the Attorney-General is or may become a party.

*Expenses in Civil Business.*—I respectfully recommend that section 10 of chapter 17 of the Public Statutes be amended to allow the Attorney-General to draw eight hundred dollars for expenses in civil cases. This is the sum actually appropriated each year; the additional sum of five hundred dollars being appropriated by special Act (chapter 472, Acts of 1889). As I have noted elsewhere (p. 40), a large portion of this expenditure is returned into the treasury of the Commonwealth upon the completion of suits and taxation of costs; the amount thus received and paid over this year being \$320.33, or \$20.33 more than the sum originally appropriated.

*Publication of Capital Trials.*—No report of proceedings in the capital trials had during the year has been made for publication, as is authorized by chapter 214 of the Acts of 1886; no questions of sufficient importance having been raised in said trials to warrant, in my judgment, the expense of such publication. I recommend, however, a continuation of the appropriation under said chapter, as it is not drawn upon unless a publication is had.

*Dudley Indians.*—The petition by the Commissioners of Dudley Indians to recover from the Commonwealth certain portions of the proceeds of the sale of certain interests in lands originally held by a portion of the Pegan Indians, known as the Dudley Indians, has been argued. These lands were sold by direction of the Legislature in 1797, and the money paid into the treasury; and the interest thereon was ordered to be paid to the guardians of these Indians as their necessities might require. An additional five hundred dollars was received from other sources, and was held in trust; and thirty dollars, as interest thereon, was ordered to be paid yearly, “until the tribe of Dudley Indians become extinct, after which time the said five hundred dollars was to vest in the Commonwealth.” The Commonwealth has at various times paid to these guardians the sum of \$27,059.77.



The questions involved are, whether this sum so paid is a payment in full, and discharges the Commonwealth from the trust, and whether the said tribe has become extinct. An early decision is expected.

*Collections.* — The collections of the year have been considerable in amount, involving a large number of cases. Many suits have been instituted, against both corporations and individuals. A large per cent. of the “expenses in civil cases” have been collected of defendants and paid over to the treasurer of the Commonwealth (for a more particular description of which, see pp. 37, 40). The total amount of collection was \$31,070.67; \$28,567.07 of this amount was received from corporations for taxes, \$2,183.27 from other sources, and \$320.33 for costs in civil cases, all of which have been paid to the treasurer of the Commonwealth, according to law.

The demands upon the department for advice and counsel from the heads of other departments and commissions is yearly on the increase, and constitutes no inconsiderable part of the duties of the department. Necessarily, no accurate data of oral opinions given can be preserved or given. Written opinions are always on file.

The usual number of hearings upon petition for use of the Attorney-General's name in suits have been held.

The suit against the Fitchburg Railroad Company for rental of the Southern Vermont Railroad; the case of Commonwealth *vs.* Arthur Manchester (the menhaden fishery case), together with a number of suits against cities and towns for the board of paupers, are on the list, and a speedy trial is looked for. The violation of chapter 230 of the Acts of 1888 by the cities of Boston and Cambridge is held under advisement.

H. C. Bliss, Esq., and H. A. Wyman, Esq., have continued in the office as assistants, and have rendered faithful, efficient and constant service.

Details of the work of the department for the year, with tables, are annexed.

ANDREW J. WATERMAN,  
*Attorney-General.*

## MATTERS EX. RELATIONE.

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The Attorney-General *ex rel.* Comptroller of County Accounts *vs.* William H. Whitman, clerk of courts, Plymouth County. Failure to comply with section 7, chapter 438, Acts of 1887. Complied with, upon notification.

The Attorney-General *ex rel.* Board of Registration and Pharmacy *vs.* Revere Extract Company. Violation of chapter 313, Acts of 1885. Complaints prepared and prosecution had in lower court. Defendant convicted.

The Attorney-General *ex rel.* Comptroller of County Accounts *vs.* Julian P. Dunn, clerk of first district court of northern Worcester. Failure to comply with section 7, chapter 438, Acts of 1887. Complied with.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* United States Mutual Accident Relief Association. Petition for appointment of receiver. John F. Colby appointed.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* Hoosatonic Water Company. Failure to comply with section 38, chapter 13 of the Public Statutes. Complied with.

The Attorney-General *ex rel.* Treasurer *vs.* Citizens Gas Light Company. Failure to pay proportional share of expenses of the Board of Gas and Electric Light Commissioners. Amount received.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Fall River Gas Works Company. Violation of section 14 of chapter 61 of the Public Statutes. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Amesbury and Salisbury Gas Company. Violation of section 14 of chapter 61 of the Public Statutes. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Miller's River Gas Light Company. Violation of section 14 of chapter 61 of the Public Statutes. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Company *vs.* Cottage City Gas Company. Violation of section 14 of chapter 61 of the Public Statutes. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Spencer Gas Company. Violation of section 14 of chapter 61 of the Public Statutes. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Amherst Gas Company. Violation of section 18 of chapter 105, section 39 of chapter 106, section 11 of chapter 61, of the Public Statutes; and section 6 of chapter 346 of the Acts of 1886. Pending.

Petition for the dissolution of the Electric Standard Time Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition Tucker Manufacturing Company *vs.* Commonwealth, for damages under contract with Commonwealth for work at the State Prison. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Boston Wall Paper Company. S. J. C. Injunction for non-payment of corporation taxes for 1888. Tax and interest, with costs, received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Bufford's Sons Lithograph Company. S. J. C. Injunction for non-payment of corporation tax for 1888. Tax and interest, with costs, received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Cape Ann Granite Company. S. J. C. Injunction for non-payment of corporation tax for 1888. Tax and interest, with costs, received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Crystal Emery Wheel Company. S. J. C. Injunction for non-payment of corporation tax for 1888. Tax and interest, with costs, received and paid over. Information discontinued.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* American Steam Boiler Insurance Company. Violation of section 20, chapter 214, Acts of 1887. Penalty, under section 103 of said chapter, of \$500, received and paid over to the treasurer of the Commonwealth.



Francis J. Stratton *et. al. vs.* the Physio Medical College *et al.*  
Petition to have clause in a will, creating a trust in favor of  
the defendant, declared void. S. J. C. Decree for plaintiff.

Henry F. Coe *vs.* Washington Mills *et al.* Bill of interpleader as  
to trust fund in the hands of the Washington Mills Benefit  
Society. Decree of instruction entered.

The Attorney-General *ex rel.* Treasurer *vs.* Suffolk Brewing Com-  
pany. Failure to make returns, under section 54, chapter 106  
of the Public Statutes. Returns received.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.*  
Watkins Hot Water Heater Company. Failure to comply  
with chapter 330 of the Acts of 1884. Complied with.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.*  
Raymond Skate Company. Failure to make returns, under  
section 54 of chapter 106 of the Public Statutes. Returns  
received.

The Attorney-General *ex rel.* Treasurer *vs.* Foote Refrigerator  
Company. S. J. C. Injunction for non-payment of cor-  
poration tax for 1888. Tax and interest, with costs, received  
and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* H. A. Williams Man-  
ufacturing Company. S. J. C. Injunction for non-payment  
of corporation tax for 1888. Tax and interest, with costs,  
received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* L. A. May Company.  
S. J. C. Injunction for non-payment of corporation tax for  
1888. Tax and interest, with costs, received and paid over.  
Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Lynn Ice Company.  
S. J. C. Injunction for non-payment of corporation tax for  
1888. Tax and interest, with costs, received and paid over.  
Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Meigs Elevated Rail-  
way Company. S. J. C. Injunction for non-payment of  
corporation tax for 1888. Pending.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.*  
Russia Cement Company. Failure to make returns, under  
section 54 of chapter 106 of the Public Statutes. Returns  
received.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.*  
Atherton Machine Company. Failure to make returns,  
under section 54 of chapter 106 of the Public Statutes.  
Pending.

Suffolk Savings Bank for Seamen and Others *vs.* Commonwealth. Petition, under section 64 of chapter 13 of the Public Statutes, for refunding of tax. Judgment for bank.

The Attorney-General *ex rel.* Treasurer *vs.* City of Springfield. Board of pauper in Northampton Hospital. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Town of Buckland. Board of pauper in Northampton Hospital. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Town of Ludlow. Board of pauper in Northampton Hospital. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* City of Cambridge. Board of pauper in Worcester Hospital. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* City of Newburyport. Board of pauper in School for Feeble-minded. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Reading Water Company. S. J. C. Injunction for non-payment of corporation tax for 1888. Tax and interest, with costs, received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Westfield Brick Company. S. J. C. Injunction for non-payment of corporation tax for 1888. Tax and interest, with costs, received and paid over. Information discontinued.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* Massachusetts Standard Benefit Company. Violation of chapter 183, Acts of 1885. Injunction issued. Receiver, George L. Huntress, Esq., and master, Homer Albers, Esq., appointed.

Parkman, Administrator, *vs.* McCarthy *et al.* Question as to property escheating to the Commonwealth. Decree of lower court affirmed.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* Hartford Steam Boiler Inspection and Insurance Company. Violation of section 20, chapter 214, Acts of 1887. Penalty, under section 103 of said chapter, of \$500, received and paid over to the treasurer of the Commonwealth.

The Attorney-General *ex rel.* Treasurer *vs.* Town of Canton. Board of pauper in Taunton Hospital. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Town of South Hadley. Board of pauper in Northampton Hospital. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Town of Westford. Board of pauper in Taunton Hospital. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Town of Peabody. Board of pauper in Worcester Hospital. Pending.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* H. N. Slater Company. Failure to make returns, under section 54 of chapter 106 of the Public Statutes. Pending.

Charles E. Stevens and Thomas Harrington, Commissioners of Dudley Indians, *vs.* Commonwealth. Suit for money alleged to be held in trust by the State. Argued, but not decided.

Fitchburg Savings Bank *vs.* Treasurer of the Commonwealth. Petition for refunding of tax. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Abbott Spinner Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* the American Arms Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Boston Coffee House Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Budget Publishing Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information dismissed.

The Attorney-General *ex rel.* Treasurer *vs.* the Dunbar Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Cultivator Publishing Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Globe Co-operative Shoe Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Hamblin and Russell Manufacturing Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Haverhill Iron Works. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Peck and Whipple Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information dismissed.

The Attorney-General *ex rel.* Treasurer *vs.* Lincoln Wharf Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.

Petition for the dissolution of the Cambridge Preserving Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Haverhill Leather Cloth Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Lake Piano Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Medford Electric Light Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Salem Publishing Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Wellfleet Boot and Shoe Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the F. G. Lamson Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

The Attorney-General *ex rel.* Treasurer *vs.* Manufacturers Gazette Publishing Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Quaboag Steamboat Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Suffolk County Democrat. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Pending.

- The Attorney-General *ex rel.* Treasurer *vs.* Palmer Wire Manufacturing Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* Union Glass Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* Union Stone Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* Weymouth Light and Power Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* Wilder Manufacturing Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Pending.
- The Attorney-General *ex rel.* Treasurer *vs.* Winslow's Rheumatic Plaster Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* Winthrop Gas Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* Oriental Coal Oil Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* United Manufacturing Company. Injunction for failure to make returns, under Public Statutes, chapter 13, section 38. Returns received. Costs of suit received and paid over. Information discontinued.
- The Attorney-General *ex rel.* Treasurer *vs.* Charles W. Copeland Manufacturing Company. Injunction for non-payment of corporation tax for 1888. Pending.
- Commonwealth *ex rel.* Commissioner of Corporations *vs.* Lowell Gun Company. Failure to make returns, under section 54, chapter 106 of the Public Statutes. Petition for dissolution. Pending.



- Commonwealth *ex rel.* Commissioner of Corporations *vs.* Hub Stove and Lighting Company. Failure to make returns, under section 54, chapter 106 of the Public Statutes. Petition for dissolution. Pending.
- Petition for the dissolution of the Decker & Bonetz Cord Clothing Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.
- Petition for the dissolution of the Empire Steamboat Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.
- Petition for the dissolution of the Perfect Pencil Sharpener Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.
- Petition for the dissolution of the Boston Tobacco Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.
- Petition for the dissolution of the Methuen Boot and Shoe Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.
- Petition for the dissolution of the Brush Electric Lighting Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.
- Petition for the dissolution of the Amherst Co-operative Association by said company. S. J. C. Deputy Tax Commissioner's consent filed.
- Commonwealth *ex rel.* Commissioner of Corporations *vs.* United States Cartridge Company. Failure to make returns, under section 54 of chapter 106 of the Public Statutes. Petition for dissolution. Pending.
- Commonwealth *ex rel.* Commissioner of Corporations *vs.* Atherton Machine Company. Failure to make returns, under section 54, chapter 106 of the Public Statutes. Petition for dissolution. Pending.
- The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Gardner Gas Light Company. Failure to comply with section 7, chapter 314, Acts of 1885; and section 2, chapter 346, Acts of 1886. Complied with.
- The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Norwood Gas Light Company. Failure to comply with section 7, chapter 314, Acts of 1885; and section 2, chapter 346, Acts of 1886. Complied with.
- The Attorney-General *ex rel.* Deputy Tax Commissioner *vs.* Postal Telegraph Cable Company. Failure to make return, under chapter 238, Acts of 1885. Return received.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* Dubois Lithograph Company. Failure to pay fee, under section 54, chapter 106 of the Public Statutes. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* George H. Binney. Insurance agent's tax, under chapter 300 of the Acts of 1885. Claim in insolvency. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* United Electric Light Company. Failure to make returns, under section 7, chapter 314, Acts of 1885; and section 2, chapter 382, Acts of 1887. Complied with.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Orange Electric Light Company. Failure to make returns, under section 7, chapter 314, Acts of 1885; and section 2 of chapter 382, Acts of 1887. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Walworth Light and Power Company. Violation of section 3, chapter 382, Acts of 1887. Information filed. Pending.

The Attorney-General *ex rel.* Board of Gas and Electric Light Commissioners *vs.* Middleborough Gas and Electric Light Company. Violation of chapter 382 of Acts of 1887. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Springfield Bicycle Manufacturing Company. Claim in insolvency for corporation tax. Pending.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* Boston Fraternal Accident Association. Violation of chapter 183, Acts of 1885. Injunction issued. James E. Leach appointed receiver.

Commonwealth *ex rel.* Commissioner of Corporations *vs.* Milford Aqueduct Company. Failure to make returns, under section 54, chapter 106 of the Public Statutes. Petition for dissolution. Pending.

E. J. Russell, Warden of State Prison, *vs.* the T. P. Baker Moulding Company. Claim in insolvency. Pending.

Commonwealth *vs.* C. F. Libby. In Superior Court. Action of replevin to recover colonial manuscripts. Pending.

*In re* Report Massachusetts Safety Fund Association. Receiver's and master's compensation. Argued, and final report established.

Petition of Victor Spear, plaintiff in error, *vs.* Commonwealth. Writ of error. Judgment reversed.

Petition of Everett S. Kelly, Effie J. Kelly and Horace H. Kelly, minors, *vs.* Board of Lunacy and Charity. Petition for writ of habeas corpus. Argued before full court. Not yet decided.

The Attorney-General *ex rel.* Treasurer *vs.* Mount Tom Elastic Fabric Company. Claim in insolvency for corporation tax. Pending.

The Attorney-General *ex rel.* Secretary of State *vs.* Sheriff of Hampden County. Failure to make return. Returns received.

George E. Bullard *vs.* the Town of Shirley. Petition for instruction under will. Service accepted.

Petition to perpetuate testimony of Charles I. Johnson. Pending.

Petition for the dissolution of the Milford Shoe Factory Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Charles River Shoe Factory Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

The Attorney-General *ex rel.* Treasurer *vs.* Western Union Telegraph Company. Injunction for non-payment of corporation tax of 1889. Pending.

Petition for the dissolution of the Provincetown Boot and Shoe Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Mason and Farnsworth Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Kingston Aqueduct Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Arnold Machine Barrel Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Main Street Rink Association by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Jairos Manufacturing Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Boston Beef Packing Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.



Petition for the dissolution of the Hinckley Locomotive Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Wellesley Ice Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

The Attorney-General *ex rel.* Treasurer *vs.* Adams Co-operative Association. Injunction for non-payment of corporation tax of 1888. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* the Blackburn Valve Company. Injunction for non-payment of corporation tax of 1888. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Norton Manufacturing Company. Injunction for non-payment of corporation tax of 1888. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* the Powow Co-operative Society of Amesbury and Salisbury. Injunction for non-payment of corporation tax of 1888. Pending.

Petition for the dissolution of the B. B. Hill Manufacturing Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Franklin Square Grocery Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Boston Cordage Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Northampton Building Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the American Rattan Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Springfield News Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

Petition for the dissolution of the Boston and Savannah Steamship Company by said company. S. J. C. Deputy Tax Commissioner's consent filed.

The Attorney-General *ex rel.* Treasurer *vs.* Security Associates. Injunction for non-payment of corporation tax of 1888. Pending.

- The Attorney-General *ex rel.* Treasurer *vs.* H. Burr Crandall, guardian Margaret Crawford. Proceedings to enforce payment of board for ward in Northampton Lunatic Hospital. Pending.
- The Commonwealth *vs.* H. Florence Crosby, for board of Jessie Crosby in Danvers Lunatic Hospital. Reported condition of affairs to trustees of hospital.
- Commonwealth *vs.* Joseph H. Sears, for board of Rosa F. Sears in Danvers Lunatic Hospital. Pending.
- Commonwealth *vs.* Rowland Cowper, for board in Danvers Lunatic Hospital. Pending.
- Commonwealth *vs.* H. B. Miller, for board in Danvers Lunatic Hospital. Pending.
- Commonwealth *ex rel.* Commissioner of Corporations *vs.* Cottage City Gas Company. Failure to pay fee, under section 54, chapter 106 of the Public Statutes. Pending.
- The Attorney-General *ex rel.* Treasurer *vs.* George J. Raymond Company. S. J. C. Injunction for non-payment of corporation tax. Pending.
- The Attorney-General *ex rel.* Treasurer *vs.* Vacuum Refrigerator Company. S. J. C. Injunction for non-payment of corporation tax. Preliminary injunction issued.
- The Attorney-General *ex rel.* Treasurer *vs.* Standard Pulp Company. S. J. C. Injunction for non-payment of corporation tax. Dismissed.
- The Attorney-General *ex rel.* Harbor and Land Commissioners *vs.* Algonquin Club. S. J. C. Information for injunction for violation of condition of deeds of land from the Commonwealth on the Back Bay. Trial had before single justice. Case reported to the full court.
- James K. Adams *vs.* the Commonwealth (Cattle Commissioners). Petition for compensation for care, killing and burial of certain swine infected with disease. Superior Court, Suffolk County. Not yet reached. Pending.
- The Attorney-General *ex rel.* Harbor and Land Commissioners *vs.* John B. Jeffers. S. J. C. Injunction to restrain defendant building on Meridian Street bridge. Decree in favor of Commonwealth. Building to be removed.
- Commonwealth *vs.* Middlesex Central Railroad Company and Boston & Lowell Railroad Company. Middlesex County Commissioners. Petition for award of damages under chapter 10 of the Acts of 1879. Finding for Commonwealth, \$375. Case now in suit, superior court, for interest. Not yet heard.

The Attorney-General (Edward J. Russell, warden) *vs.* Tucker Manufacturing Company. S. C. Action of contract for prison labor. In the hands of a receiver, and the State is secured by a special bond. Pending.

Petition of Suffolk Savings Bank for Seamen and Others *vs.* Commonwealth. S. J. C. To correct assessment value of buildings for purposes of taxation. Case reported to full court. Petition allowed.

The Attorney-General *ex rel.* Commissioners of Corporations *vs.* Martin Wilson Automatic Fire Alarm Company. Failure to comply with chapter 330 of the Acts of 1884. Pending.

The Attorney-General *ex rel.* Savings Bank Commissioners *vs.* Union Savings Bank, Fall River. S. J. C. Injunction issued.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* Massachusetts Relief Association. S. J. C. Injunction for violation of chapter 183 of the Acts of 1885. Injunction issued, and receiver and master appointed.

The Attorney-General *ex rel.* Harbor and Land Commissioners *vs.* Marcellus S. Ayer *et al.* and Spiritual Fraternity. S. J. C. Information for the violation of condition in the deed from the Commonwealth. Reserved for consideration by full court. Argued. Information discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Western Union Telegraph Company. S. J. C. Injunction for the non-payment of taxes for the year 1885. Defendant transfers the case to United States Court. Judgment for the Attorney-General (case not finally disposed of); see United States circuit court.

The Attorney-General *ex rel.* Treasurer *vs.* The Midland Improvement and Construction Company. Suit for taxes of 1882. Affairs in the hands of a receiver. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Standard Paper Bag Company. Suit for taxes of 1882. Discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Lighthall Cable Tramway Company. Suit for taxes of 1885. Discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* Town of Peru. Suit for board of pauper. Pending.

The Attorney-General *ex rel.* Secretary of State *vs.* George Robinson, standing justice district court, eastern Hampden. Failure to make returns under chapter 16, section 72, Public Statutes, for 1884 and 1885. Made for 1885. Pending as to 1884. Referred to district attorney.

The Attorney-General *ex rel.* Treasurer *vs.* Snow Paper Company. Claim in insolvency. No assets ; so reported. Discontinued.

The Attorney-General *ex rel.* Treasurer *vs.* National Color Printing Company. Claim in insolvency. No assets ; so reported. Discontinued.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* Standard Sewer Trap Company. Failure to comply with chapter 330, Acts of 1884. Pending.

Commonwealth (Gardiner Tufts, superintendent Massachusetts Reformatory) *vs.* J. Henry Martin & Son, and Wilbur F. Whitney, trustee. S. C. Worcester County. Claim for work done by prisoners. \$376.32 received and paid over to superintendent Massachusetts Reformatory.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* Capital City Water Company. Violation of chapter 330 of the Acts of 1884. Pending.

The Attorney-General *ex rel.* Treasurer, *vs.* Miller's River Gas Light Company. Violation of chapter 14, section 61. of Public Statutes. Pending.

The Attorney-General *ex rel.* William R. Mann and others. committee of inhabitants of the town of Sharon, *vs.* Revere Copper Company. S. J. C. Information for injunction against drawing water from Massapoag Pond. Pending.

Mary J. Moore, Mary B. Thompson and Belinda A. Dolan, petitioners, *vs.* Commonwealth. S. J. C. Damages for flats taken by Harbor and Land Commissioners. Referred to an auditor, and is now before the full court. Argued, but not decided.

The Attorney-General *ex rel.* Treasurer *vs.* Western Union Telegraph Company. S. J. C. Injunction for non-payment of the corporation tax of 1886. Removed to the United States circuit court, which see.

The Attorney-General *ex rel.* Treasurer *vs.* Western Union Telegraph Company. Injunction for corporation tax of 1887. Removed to United States circuit court, which see.

Commonwealth, by Board of Commissioners of Savings Banks, *vs.* Lancaster Savings Bank. S. J. C. Petitions for injunction and winding up of affairs. Affairs in the hands of receivers.

Same *vs.* Reading Savings Bank. Same.

Commonwealth, by Deputy Tax Commissioner, *vs.* Neptune Insurance Company. S. J. C. Petition for injunction and winding up of affairs. Receiver's final report made.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* the Provident Mutual Association. S. J. C. Information for injunction for violation of section 8, chapter 183 of the Acts of 1885. Injunction granted and receiver appointed. Receiver's final account (no assets) filed.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* the Provident Fraternity. S. J. C. Information for an injunction for violation of section 8, chapter 183 of the Acts of 1885. Injunction granted and receiver appointed. Receiver's final account (no assets) filed.

The Attorney-General *ex rel.* Insurance Commissioner *vs.* the United States Mutual Accident Relief Association. S. J. C. Information for injunction for violation of section 8 of chapter 183 of the Acts of 1885. Injunction granted; receiver, E. H. Moore, Esq., and master, J. H. Colby, Esq., appointed. Pending.

Commonwealth *vs.* Fitchburg Railroad Company. Superior Court, Suffolk. Action of contract for rent under lease of Southern Vermont Railroad Company. Pending.

*In re* Home Mutual Aid Association. S. J. C. Petition of receiver for allowance of final report. Report allowed.

Murdock Parlor Grate Company *vs.* the Commonwealth. Superior Court, Suffolk. Petition, under chapter 195, for damages for overloading leased building, 20 Beacon Street. Trial in Superior Court. Case reported to full court.

Proprietors of St. Paul's Church, petitioners, for permission to use trust fund. Reported to full court. Pending.

Eastman, Jr., *et al.*, *vs.* Allard. S. J. C. Petition for instructions as to use of charitable funds. Answer filed. Bill discontinued.

Holmes *et al.*, *vs.* Coates. Construction of will. Answer filed. Pending.

The Attorney-General *ex rel.* Treasurer *vs.* Western Union Telegraph Company. Information for injunction of taxes, 1888. Transferred to United States circuit court.

The Attorney-General *ex rel.* Treasurer *vs.* the Estate of Timothy J. Dacy, guardian of Henry Fall, for board at Northampton Hospital. Portion of account received (\$253.96) and paid over. Balance pending.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* Vacuum Refrigerator Company. Failure to pay fees under section 54 of chapter 106, Public Statutes. Company enjoined.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* Palmer Water Company. Failure to pay fees for filing returns, under section 54 of chapter 106 of the Public Statutes.

The Attorney-General *ex rel.* Treasurer Danvers Lunatic Hospital *vs.* Charles E. Bowers, for board of patient in Danvers Lunatic Hospital. Received and paid over.

The Attorney-General *ex rel.* Commissioner of Corporations *vs.* Nemosett Company. Failure to pay fees for filing returns, under section 54 of chapter 106, Public Statutes. Pending.

The Attorney-General *ex rel.* Treasurer *versus* —

Abbott Spinner Company.

Adams Co-operative Association.

Adams Gas Light Company.

Agawam Co-operative Shoe Company.

American Arms Company.

American Chlorine and Chemical Company.

American Cultivator.

American Paper Bag Company.

Athol Electric Light and Power Company.

Atlantic Fertilizer Company.

Automatic Music Paper Company.

Automatic Roller Toboggan Company.

Baker's Pond and Drain Fishing Company.

Barnaby Manufacturing Company.

Barns Manufacturing Company.

Bay State Felt Boot and Shoe Company.

Border City Hotel.

Boston Coffee House.

Boston District Telegraph Company.

Boston Oakum Company.

Boston Tag and Printing Company.

Boston Water Trust and Investment Company.

Bowker and Williams Hoop Machine Company.

Bradford Water Company.

Bradley Fertilizer Company.

Brockton Gazette Company.

Brown Hotel Company.

Budget Publishing Company.

Cape Ann Granite Company.

Charles F. Bates Manufacturing Company.

Citizens Steam and Gas Light Company of Lynn.

Columbia Rubber Company.

Co-operative Printing and Publishing Company.



The Attorney-General *ex rel.* Treasurer *versus* —

Cottage City Gas Company.  
Craig and Richmond Granite Company.  
Cultivator Publishing Company.  
D. C. Storr Furniture Company.  
D. Lothrop Company.  
Daily News Company.  
Douglass Land Company.  
Dr. J. Melvin Company.  
Draper Manufacturing Company.  
Dubois Lithograph Company.  
Dunbar Company.  
Eagle Metallic Brush Company.  
East Hampton Electric Company.  
Elliott Paper Box Company.  
Elwell Heddle Company.  
Equitable Pioneer Co-operative Company.  
F. G. Lamson Company.  
First National Publishing Company.  
Franklin Mills Company.  
Freemasons Hall.  
French Co-operative Store.  
George J. Raymond Company.  
George Noyes Plowman Company.  
Globe Co-operative Shoe Company.  
Gloucester Electric Light Company.  
Gloucester Electric Company.  
Greylock Institute Water Company.  
Greylock Park Association.  
Hamblin and Russell Manufacturing Company.  
Hampden Watch Company.  
Haverhill Iron Works.  
Henry Wood's Sons Company.  
Heman W. Ladd Company.  
Hero Cough Syrup Company.  
Hoosatonic Water Company.  
Hovey Publishing Company.  
Ipswich Co-operative Creamery.  
Irvona Tanning Company.  
K. of L. Co-operative Association of North Adams.  
Law and Order Publishing Company.  
Lincoln Wharf Company.  
Lowell Knitting Machinery Company.  
Lowell Land Company.

The Attorney-General *ex rel.* Treasurer *versus* —

Lynn Belt Line Street Railway Company.  
Lynn District Messenger Company.  
Manufacturers' Gazette Publishing Company.  
Marlboro' Times Publishing Company.  
Martha's Vineyard Railroad Company.  
Meigs Elevated Railway Company.  
Middlesex Real Estate Association of Cambridge.  
Milford Electric Light and Power Company.  
Minot Manufacturing Company.  
Nashua, Acton and Boston Railroad Company.  
National Construction Company.  
National Home Building Company.  
Nation K. of L. Co-operative Elastic Fabric Company.  
Newburyport and Amesbury Horse Railroad Company.  
Newburyport Quarry Company.  
Norfolk Street Railway Company.  
North Attleborough Steam and Electric Company.  
Ocean Terminal Railroad Company.  
Ocean Terminal Railroad Dock and Elevator Company.  
Orange Electric Light Company.  
Oriental Coal Oil Company.  
Para Rubber Shoe Company.  
Peck and Whipple Company.  
Phoenix Brewing Company.  
Pigeon Hill Granite Company.  
Plum Island Street Railway Company.  
Plymouth Electric Light Company.  
Powow Co-operative Society A. and S.  
Prang Educational Company.  
Provincetown Electric Company.  
Quaboag Steamboat Company.  
Randolph Electric Light and Power Company.  
Reading Water Company.  
Readville Rubber Company of Hyde Park.  
Real Estate Exchange and Auction Board.  
Richmond Co-operative Creamery.  
Riverside Water Company.  
Rotary Shuttle Sewing Machine Company.  
Roxbury Electric Light Company.  
Rubber Step Manufacturing Company.  
S. K. Smith Silk Manufacturing Company.  
Springfield Union.  
Standard Brick Company.  
Standard Paper Bag Company.



The Attorney-General *ex rel.* Treasurer *versus* —

Standard Rubber Company.  
Standard Spindle Company.  
Standish Mills.  
State Publishing Company.  
Suffolk County Democrat Publishing Company.  
Saugus Water Company.  
Stoneham and Wakefield Electric Light Company.  
Suffolk Glass Company.  
Town Neck Land and Improvement Company.  
Tully Mill.  
Union Back Mill Company.  
Union Marine Railway Company.  
Union Glass Company.  
Union Newspaper Company.  
Union Stone Company.  
United Manufacturing Company.  
Vineyard Haven Gas and Electric Company.  
Vineyard Haven Water Company.  
Wakefield Co-operative Shoe Company.  
Wakefield Water Company.  
Wenham Lake Ice Company.  
Wentworth Carpet Lining Company.  
West Ware Paper Company.  
Western Union Telegraph Company.  
Weymouth Light and Power Company.  
Wheelman Company.  
Wilder Manufacturing Company.  
William E. Smythe Company.  
Williston Mills.  
Winchester Electric Light Company.  
Winslow's Rheumatic Plaster Company.  
Winthrop Gas Company.  
Wire Fabric Rubber Company.  
Woolson Machine Company.  
Wright Manufacturing and Perfumery Company.  
Haverhill Roller Toboggan Company.  
Mudie Library Company.  
Ætna Rubber Mills.  
National Home Building Company.  
North Brookfield Co-operative Creamery Association.  
Palmer Wire Manufacturing Company.

Failure to make returns required by section 38 of chapter 13 of the Public Statutes. Complied with.

## UNITED STATES CIRCUIT COURT.

The Attorney-General *ex rel.* Treasurer of the Commonwealth *vs.* Western Union Telegraph Company. Injunction, non-payment of corporation tax of 1888. From State court. Argued, but not decided.

Hannah B. Hall, administratrix estate George M. Hall, *vs.* A. W. Locke *et al.*, Manager Troy and Greenfield Railroad and Hoosac Tunnel. Suit for injuries received on defendant's road. Not yet tried.

Hannah B. Hall, administratrix estate Agnes M. Hall, *vs.* Augustus W. Locke *et al.*, Manager, etc. Same. Not yet heard.

The Attorney-General *ex rel.* Treasurer of the Commonwealth *vs.* Western Union Telegraph Company. Petition for instructions by defendant as to rate of interest to be reckoned on State corporation tax of 1885. Decision for Attorney-General; rate to be twelve per cent. Case further heard as to time from which it should be reckoned. Decision of court that interest should be reckoned from final decree. Case now before the court as to what was the final decree.

The Attorney-General *ex rel.* Treasurer of the Commonwealth *vs.* Western Union Telegraph Company. Injunction for non-payment of corporation tax of 1886. From State court. Argued, but not decided.

The Attorney-General *ex rel.* Treasurer of the Commonwealth *vs.* Western Union Telegraph Company. Injunction for non-payment of corporation tax of 1887. From State court. Argued, but not decided.

## UNITED STATES SUPREME COURT.

The Attorney-General *ex rel.* Treasurer of the Commonwealth *vs.* Western Union Telegraph Company. Information for injunction for non-payment of corporation taxes, 1885. Appeal from circuit court. (Mass. Dist.) Decision for the Attorney-General. Mandate for the payment of tax ordered. Tax, except part of interest, received and paid over.

## COLLECTIONS.

American Co-operative Boot and Shoe Company, . . . . .	Tax, \$270 85 Int., 7 04	
		\$277 89
American Cultivator Publishing Company, . . . . .	Tax, \$73 40 Int., 2 06	
		75 46
Blair Camera Company, . . . . .	Tax, \$519 67 Int., 17 66	
		537 33
Boston Wall Paper Company, . . . . .	Tax, \$367 00 Int., 19 08 Costs, 4 98	
		391 06
Budget Publishing Company, . . . . .	Tax, \$110 10 Int., 3 08	
		113 18
Bufford Sons Lithograph Company, . . . . .	Tax, \$264 24 Int., 13 21 Costs, 4 98	
		282 43
Cape Ann Granite Company, . . . . .	Tax, \$1,040 81 Int., 52 04 Costs, 8 00	
		1,100 85
Chicopee Folding Box Company, . . . . .	Tax, \$136 52 Int., 4 36	
		140 88
Childs and Kent Express Company, . . . . .	Tax, \$231 21 Int., 6 01	
		237 22
Craig and Richards Granite Company, . . . . .	Tax, \$214 33 Int., 8 50	
		222 83
Crystal Emery Wheel Company, . . . . .	Tax, \$28 63 Int., 1 43 Costs, 7 90	
		37 96
Damon Safe and Iron Works Company, . . . . .	Tax, \$110 10 Int., 1 32	
		111 42
Educational Supply Company, . . . . .	Tax, \$183 50 Int., 5 32	
		188 82

Empire Laundry Machine Company, . . . . .	Tax, \$220 20 Int., 5 73	
		\$225 93
Foote Refrigerator Company, . . . . .	Tax, \$35 23 Int., 1 76 Costs, 9 28	
		46 27
Greenfield Tool Works, . . . . .	Tax, \$13 21 Int., 21	
		13 42
H. A. Williams Manufacturing Company, . . . . .	Tax, \$161 48 Int., 8 40 Costs, 6 00	
		175 88
Hall Type Writer Company, . . . . .	Tax, \$146 80 Int., 7 34	
		154 14
Haverhill Roller Toboggan Company, . . . . .	Tax, \$88 08 Int., 2 30	
		90 38
Heman W. Ladd Company, . . . . .	Tax,	109 75
L. A. May Company, . . . . .	Tax, \$590 87 Int., 44 32 Costs, 5 90	
		641 09
Lake Piano Company, . . . . .	Tax, \$73 40 Int., 2 12	
		75 52
Lancaster Water Company, . . . . .	Tax, \$293 60 Int., 7 63	
		301 23
Lynn Ice Company, . . . . .	Tax, \$657 66 Int., 39 46 Costs, 5 90	
		703 02
Magneso Calcite Fire Proof Company, . . . . .	Tax, \$158 98 Int., 3 82	
		162 80
Manufacturing Gazette Publishing Com- pany, . . . . .	Tax, \$70 46 Int., 1 98	
		72 44
National Fireworks Company, . . . . .	Tax, \$264 24 Int., 12 78	
		277 02
New England Despatch Company, . . . . .	Tax, \$82 58 Int., 2 15	
		84 73
Pacific Guano Company, . . . . .	Tax,	7,990 63
Prang Educational Company, . . . . .	Tax, \$711 98 Int., 19 85	
		731 83
Quaboag Steamboat Company, . . . . .	Tax, \$74 87 Int., 3 00	
		77 87
Reading Water Company, . . . . .	Tax, \$58 72 Int., 3 64 Costs, 7 80	
		70 16

S. A. Woods Machine Company, . . . . .	Tax, \$1,901 06 Int., 45 62	\$1,946 68
Suburban Parcel Delivery Company, . . . . .	Tax, \$293 60 Int., 7 04	300 64
Suspension Transportation Company, . . . . .	Tax, \$367 00 Int., 20 82	387 82
Westfield Brick Company, . . . . .	Tax, \$30 83 Int., 1 51 Costs, 5 50	37 84
Westport Wooden Ware Company, . . . . .	Tax, \$110 10 Int., 2 86	112 96
William E. Smythe Company, . . . . .	Tax, \$73 40 Int., 18 33	91 73
Wright Manufacturing and Perfumery Company, . . . . .	Tax, \$110 10 Int., 4 56	114 66
Total corporation taxes of 1888, . . . . .		<u>\$18,713 77</u>
Charles Bowers, for board of patient at Danvers Lunatic Hospital during 1887-88, . . . . .		\$133 18
Hartford Steam Boiler Inspection and Insurance Company (penalty under chapter 214, Acts of 1887), . . . . .		500 00
American Steam Boiler Company (penalty under chapter 214 of the Acts of 1887), . . . . .		500 00
Charles Bowers, for board of patient at Danvers Lunatic Hospital to May, 1889, . . . . .		131 37
George W. Bradbury, for board of patient at Danvers Lunatic Hospital during 1889, . . . . .		86 76
Charles Bowers, for board of patient at Danvers Lunatic Hospital to 1890, . . . . .		133 44
Timothy J. Dacey, guardian Henry Fall, board of patient at Northampton Lunatic Hospital, . . . . .		253 96
J. Henry Martin & Son, for work done by prisoners at Massachusetts Reformatory, . . . . .		376 32
		<u><u>\$2,115 03</u></u>
Brockton Gazette Publishing Company, . . . . .	\$5 00	
Eagle Mills Company, . . . . .	5 00	
Palmer Water Company, . . . . .	5 00	
Ware River Manufacturing Company, . . . . .	5 00	
Wiley Robinson Manufacturing Company, . . . . .	5 00	
Brookside Paper Manufacturing Company, . . . . .	5 00	
Locke's Pond Reservoir Company, . . . . .	5 00	
Little & Co., . . . . .	5 00	

Baker's Pond and Drain Fishing Company, . . .	\$5 00
D. C. Storr Furniture Company, . . . . .	5 00
Haverhill Roller Toboggan Company, . . . .	5 00
Haverhill Register Co-operative Printing Com- pany, . . . . .	5 00
Milford Pink Granite Company, . . . . .	5 00

Fees for returns under Public Statutes, chapter 106, sections 54 and 55, . . . . .	\$65 00
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Citizens Gas Light Company, proportional share of Board of Gas and Electric Light Commissioners' expenses, .	\$3 24
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Costs in civil cases received and paid over to treasurer, .	\$320 33
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The Attorney-General *ex rel.* Treasurer *versus* —.

Albany Street Freight Railway Company.  
 American Cultivator Publishing Company.  
 Atlas Publishing Company.  
 Bay State Manufacturing Company.  
 Blackburn Valve Company.  
 Boston Heating Company.  
 Boston Advertising Company.  
 Boston Wall Paper Company.  
 Braintree Water Supply Company.  
 Budget Publishing Company.  
 Cassino Art Company.  
 Chas. W. Copeland Manufacturing Company.  
 Citizens Gas Light Company.  
 Dedham Electric Company.  
 Educational Supply Company.  
 Electric and Machine Company.  
 Foote Refrigerator Company.  
 Gardner Gas Light Company.  
 Geo. E. Reed Furniture Company.  
 H. A. Williams Manufacturing Company.  
 Hampden Watch Company.  
 Hancock Inspirator Company.  
 The Harvard Printing Company.  
 Haverhill Roller Toboggan Company.  
 Hero Cough Syrup Company.  
 Lancaster Water Company.  
 Lawson Manufacturing Company.  
 Lewis Engraving Company.

The Attorney-General *ex rel.* Treasurer *versus* —

Long Beach Railroad Company.  
Lynn Belt Line Street Railway Company.  
Lynn Ice Company.  
Magneso Calcite Fire Proof Company.  
Mansfield Co-operative Furnace Company.  
Manufacturers' Gazette Publishing Company.  
Martha's Vineyard Railroad Company.  
Martha's Vineyard Street Railway Company.  
Meigs Elevated Railway Company.  
Meigs Elevated Railway Construction Company.  
Mount Tom Elastic Fabrics Company.  
Nantucket Railroad Company.  
National Fireworks Company.  
Nonantum Worsted Company.  
Old Spain Co-operative Society.  
Plum Island Street Railway Company.  
Pranker Manufacturing Company.  
Raymond Skate Company.  
S. A. Woods Machine Company.  
Sanford Woolen Company.  
Security Associates.  
Springfield Bicycle Company.  
Suspension Transportation Company.  
Wakefield Water Company.  
Walter Heywood Chair Manufacturing Company.  
Waltham Tribune Company.  
Wentworth Carpet Lining Company.  
Western Union Telegraph Company.  
Westfield Brick Company.

Information for injunctions for non-payment of corporation taxes  
of 1889. Received Jan. 8, 1890.



## TABLE OF CASES.

## TABLE

*Showing the Number of Criminal Cases pending on Questions of Law in the Supreme Judicial Court during the Year ending Jan. 15, 1890, and the Disposition thereof by Counties.*

COUNTIES.	Cases.	Decided for the Commonwealth.	Decided against the Commonwealth.	Argued, but not decided.	Received since Last Sitting of Court now pending.
Barnstable, . . . . .	6	2	—	1	3
Berkshire, . . . . .	1	1	—	—	—
Bristol, . . . . .	7	7	—	—	—
Essex, . . . . .	4	4	—	—	—
Franklin, . . . . .	1	1	—	—	—
Hampden, . . . . .	2	1	—	—	1
Hampshire, . . . . .	2	2	—	—	—
Middlesex, . . . . .	15	6	1	4	4
Nantucket, . . . . .	1	1	—	—	—
Norfolk, . . . . .	17	12	4	—	—
Plymouth, . . . . .	6	4	—	2	—
Suffolk, . . . . .	22	15	1	—	6
Worcester, . . . . .	9	8	1	—	—
Totals, . . . . .	93	63	8	8	14

TABLE

*Showing the Number and Character of Criminal Cases pending on Questions of Law in the Supreme Judicial Court during the Year ending Jan. 15, 1890, and the Disposition thereof.*

OFFENCES.	Cases.	Decided for the Commonwealth.	Decided against the Commonwealth.	Argued, but not decided.	Received since Last Sitting of Court now pending.
Adulterated milk, sale of, . . . .	1	—	1	—	—
Adultery, . . . . .	1	1	—	—	—
Arson, . . . . .	2	1	1	—	—
Assault, . . . . .	1	1	—	—	—
Assault with dangerous weapon, . .	2	1	—	1	—
Breaking and entering, . . . . .	2	2	—	—	—
Breaking and entering in the night-time, . . . . .	1	—	—	—	1
Burning a building, . . . . .	1	1	—	—	—
Conspiracy, . . . . .	1	—	1	—	—
Cruelty to animals, . . . . .	2	2	—	—	—
Destruction of a dam, . . . . .	1	1	—	—	—
Drunkenness, . . . . .	1	1	—	—	—
Falsely assuming to be an officer, . .	1	1	—	—	—
Forgery, . . . . .	1	1	—	—	—
House of ill-fame, . . . . .	1	1	—	—	—
Illegal fishing, . . . . .	1	—	—	—	1
Larceny, . . . . .	2	2	—	—	—
Larceny from the person, . . . . .	1	—	—	—	1
Liquor, illegal keeping of, . . . . .	9	8	—	—	1
Liquor, illegal sale of, . . . . .	14	8	—	2	4
Liquor nuisance, . . . . .	35	22	4	4	5
Lottery, disposing of property by, . .	1	1	—	—	—
Obstructing highway, . . . . .	1	—	1	—	—
Obtaining goods under false pretences, . . . . .	1	1	—	—	—
Oleomargarine, illegal sale of, . . .	2	1	—	—	1
Receiving stolen goods, . . . . .	2	2	—	—	—
Robbery, . . . . .	1	1	—	—	—
Running steamboat without license, .	1	1	—	—	—
Sale of mortgaged property, . . . .	1	1	—	—	—
Seduction, . . . . .	1	—	—	1	—
Violation of municipal ordinance, . .	1	1	—	—	—
Totals, . . . . .	93	63	8	8	14

## CRIMINAL CASES.

## BARNSTABLE COUNTY.

- Commonwealth *vs.* Benjamin Brown. S. J. C. Seduction. Exceptions (to admission of evidence and rulings). Argued, but not yet decided.
- Commonwealth *vs.* James Keenan. S. J. C. Liquor nuisance. Exceptions (to admission of evidence and to rulings upon questions of agency). Pending.
- Commonwealth *vs.* Thomas McDermott. S. J. C. Liquor nuisance. Exceptions (variance). Pending.
- Commonwealth *vs.* Arthur Manchester. S. J. C. Report. Menhaden fishery case. Pending.
- Commonwealth *vs.* Anthony M. Ellis and George F. Cash. S. J. C. Burning a building. Exceptions. Overruled.
- Commonwealth *vs.* James Keenan. S. J. C. Liquor nuisance. Exceptions (to admission of evidence and to charge of presiding justice on being upon matters of fact). Overruled.

## BERKSHIRE COUNTY.

- Commonwealth *vs.* Henry Johnson *et al.* S. J. C. Larceny. Exceptions. Overruled.
- Commonwealth *vs.* Thomas Rivers and Louise Light. S. J. C. Murder of Joseph Simon Light, infant, by smothering. Trial, May 14 to 17. Defendants acquitted, at the suggestion of the Attorney-General.

## BRISTOL COUNTY.

- Commonwealth *vs.* Gibson Trimble. S. J. C. Liquor nuisance. Exceptions (to ruling as to a sale to an intoxicated person). Overruled.
- Commonwealth *vs.* Thomas H. Brennan. S. J. C. Illegal sale of intoxicating liquor. Exceptions (plea to jurisdiction). Overruled.
- Commonwealth *vs.* Charles L. Reed. S. J. C. Sale of mortgaged property. Exceptions (to ruling). Overruled.

*Commonwealth vs. Charles H. Elderkin and Caleb S. Miller.* S. J. C. Receiving stolen goods. Exceptions (to joinder of defendants). Overruled.

*Commonwealth vs. Henry L. Rooks.* S. J. C. Illegal sale of intoxicating liquor to a minor. Exceptions (to ruling). Overruled.

*Commonwealth vs. Thomas J. Clynes.* S. J. C. Liquor nuisance. Exceptions (to ruling as to election as to tenement). Overruled.

*Commonwealth vs. George Freelove and Barbara Freelove.* S. J. C. Adultery. Exceptions (motion to quash; indictment did not conclude contrary to form of statute, etc.). Overruled.

#### ESSEX COUNTY.

*Commonwealth vs. Charles Cassidy.* S. J. C. Liquor nuisance. Exceptions (to rulings). Overruled.

*Commonwealth vs. George W. Ham.* S. J. C. Liquor nuisance. Exceptions (to evidence). Overruled.

*Commonwealth vs. James Moran.* S. J. C. Breaking and entering. Exceptions (motion to quash). Overruled.

*Commonwealth vs. Certain Intoxicating Liquors, Implements and Furniture, J. Lucy, Jr., claimant.* S. J. C. Liquor nuisance. Exceptions (constitutionality of chapter 406, Acts of 1887). Overruled.

*Commonwealth vs. William Russell.* S. J. C. Murder. Defendant committed to the Taunton Lunatic Asylum, to await further order of the court. Indictment to be filed.

#### FRANKLIN COUNTY.

*Commonwealth vs. Donahue.* S. J. C. Robbery. Exceptions (conviction of assault claimed only; ruling of court that if defendant made an assault in an attempt to get his own money, it would be no justification). Sustained.

*Commonwealth vs. Lincoln Jay Randall.* S. J. C. Murder of David Marcus Randall, by shooting. Pending. To be tried in February.

#### HAMPDEN COUNTY.

*Commonwealth vs. Boston and Albany Railroad Company.* S. J. C. Report. Obstructing highway. Verdict set aside.

*Commonwealth vs. John Daly.* S. J. C. Murder of Winslow M. Abbott, by shooting. Plea of guilty of murder in the second degree accepted. Defendant sentenced to State Prison for life.

Commonwealth *vs.* Lizzie Brennan. S. J. C. Murder of Thomas Brennan, by poisoning. Defendant since the commission of the crime had been too ill to be tried, and died in jail, Jan. 3, 1890.

Commonwealth *vs.* H. H. Waters. S. J. C. Illegal sale of intoxicating liquor. Exceptions (motion in arrest of judgment). Pending.

#### HAMPSHIRE COUNTY.

Commonwealth *vs.* Harry H. King. S. J. C. Running a steamboat without a license on the Connecticut River. Exceptions (to jurisdiction of court; defendant claiming river within maritime jurisdiction of the United States). Overruled.

Commonwealth *vs.* Intoxicating Liquors and Vessels, Matthew Skennedy, claimant. S. J. C. Liquor nuisance. Exceptions (motion to quash). Overruled.

#### MIDDLESEX COUNTY.

Commonwealth *vs.* Sarah J. Robinson, Charles C. Beers, Thomas R. Smith. Murder of William J. Robinson. *Nol prossed* as to Beers and Smith. Tried Dec. 12, 1887. Jury disagreed. Indictment filed.

Commonwealth *vs.* Sarah J. Robinson. Murder of Oliver Sleeper. Indictment filed.

Commonwealth *vs.* Sarah J. Robinson. Murder of Moses Robinson. Indictment filed.

Commonwealth *vs.* Sarah J. Robinson. Murder of Thomas Arthur Freeman. Indictment filed.

Commonwealth *vs.* Mortimer and Sarah A. Johnson. S. J. C. Murder. Mortimer escaped from prison, and is at large; Sarah released on her own recognizance. Indictment filed.

Commonwealth *vs.* Joseph Sullivan. Murder. Defendant in Taunton Lunatic Hospital. Indictment filed.

Commonwealth *vs.* Annie Townes. S. J. C. Murder of Edward Townes by poisoning. Prisoner discharged on her own recognizance, February, 1888. Indictment filed.

Commonwealth *vs.* Thomas H. Gavin. S. J. C. Liquor nuisance. Exceptions (to ruling as to *prima facie* proof). Overruled.

Commonwealth *vs.* Michael Hart. S. J. C. Liquor nuisance. Exceptions (to ruling as to prior trial). Sustained.

Commonwealth *vs.* Martin Moran. S. J. C. Illegal sale of intoxicating liquors. Exceptions (to ruling as to vote of Board of Aldermen to grant licenses). Overruled.

*Commonwealth vs. Patrick E. Tenney.* S. J. C. Illegal keeping of intoxicating liquors. Exceptions (to admission of evidence as to liquor found in a neighboring building). Overruled.

*Commonwealth vs. Patrick Coleman.* S. J. C. Liquor nuisance. Exceptions (to ruling as to sale by son with consent of father). Overruled.

*Commonwealth vs. Albert B. Morgan.* S. J. C. Illegal sale of intoxicating liquor. Exceptions (as to burden of proof to show that mixture sold was intoxicating). Overruled.

*Commonwealth vs. John O'Donnell.* S. J. C. Assault with a dangerous weapon. Exceptions (motion to dismiss). Argued, but not decided.

*Commonwealth vs. William McDonough.* S. J. C. Liquor nuisance. Exceptions (to ruling as to closing of shutters). Argued, but not decided.

*Commonwealth vs. Ebenezer S. Sawtelle.* S. J. C. Liquor nuisance. Exceptions (to ruling as to painted glass windows). Argued, but not decided.

*Commonwealth vs. William T. Patten.* S. J. C. Illegal keeping of intoxicating liquors. Exceptions (motion to quash). Overruled.

*Commonwealth vs. Luke Nally.* S. J. C. Liquor nuisance. Exceptions (to evidence). Not yet heard.

*Commonwealth vs. Henry H. Oakes, Thomas Keane and Fred C. Newton.* S. J. C. Illegal keeping of intoxicating liquors. Exceptions (to evidence). Not yet heard.

*Commonwealth vs. James Vahey.* S. J. C. Liquor nuisance. Exceptions (to evidence). Not yet heard.

*Commonwealth vs. Bridget Eagan.* S. J. C. Liquor nuisance. Exceptions (to evidence). Not yet heard.

*Commonwealth vs. Jeremiah Meaney.* S. J. C. Liquor nuisance. Exceptions (to evidence). Not yet heard.

#### NANTUCKET COUNTY.

*Commonwealth vs. Brown.* S. J. C. Forgery. Exceptions (motion in arrest of judgment; question of jurisdiction). Overruled.

#### NORFOLK COUNTY.

*Commonwealth vs. Celia Hallman.* S. J. C. Liquor nuisance. Exceptions (to evidence of conversation). Overruled.

- Commonwealth *vs.* James McPharlan. S. J. C. Conspiracy. Exceptions (to ruling as to what constitutes). Sustained.
- Commonwealth *vs.* John F. Kiley. S. J. C. Liquor nuisance. Report; question as to time of conviction. Verdict set aside.
- Commonwealth *vs.* Willard H. Brockway. S. J. C. Disposing of property by lottery. Exceptions (to ruling as to ownership). Overruled.
- Commonwealth *vs.* John Hayes. S. J. C. Liquor nuisance. Exceptions (to evidence of sale to minor). Sustained.
- Commonwealth *vs.* Joseph F. Bearce. S. J. C. Liquor nuisance. Exceptions (to evidence of revocation of license). Overruled.
- Commonwealth *vs.* Patriek Fay. S. J. C. Illegal sale of intoxicating liquor. Exceptions (to right of standing justice to hear case). Argued, not yet decided.
- Commonwealth *vs.* George M. Curry. S. J. C. Cruelty to an animal. Exceptions (to ruling as to what constituted cruelty).
- Commonwealth *vs.* Lorenzo T. Brown. S. J. C. Liquor nuisance. Exceptions (to instructions as to good faith in sale of liquor by druggists on certificate). Overruled.
- Commonwealth *vs.* John W. Bryan. S. J. C. Liquor nuisance. Exceptions (to refusal to rule evidence insufficient). Overruled.
- Commonwealth *vs.* James Hayes. S. J. C. Liquor nuisance. Report; question as to application of chapter 340 of the Acts of 1888. Judgment on the verdict.
- Commonwealth *vs.* James T. Powerly. S. J. C. Liquor nuisance. Exceptions (as to admission of evidence). Overruled.
- Commonwealth *vs.* Walter H. Pray. Murder of Verner M. Fisher. Indictment found December 5. Pending.
- Commonwealth *vs.* Walter Hayden. S. J. C. Arson. Exceptions (to ownership of building). Sustained.
- Commonwealth *vs.* James Quinn. S. J. C. Arson. Exceptions (to rulings and evidence). Overruled.
- Commonwealth *vs.* Downing, appellant. S. J. C. Special pleadings. Drunkenness. Defendant brought in from county jail on writ of *habeas corpus* to argue his own case. Prisoner remanded.
- Commonwealth *vs.* Downing, appellant. S. J. C. Special pleadings. Simple assault. Same as above.



Petition to prove exceptions, George E. Curry. Petition dismissed. Insufficient affidavit to same.

Commonwealth *vs.* Saladin Cook. S. J. C. Murder of Dennis Ryan, by shooting. Pending.

Commonwealth *vs.* Dennis Carney. S. J. C. Murder. Committed to Taunton Lunatic Hospital; subsequently transferred to Stoughton Almshouse. Indictment filed.

Commonwealth *vs.* David Scannel. S. J. C. Murder. Committed to Taunton Lunatic Hospital. Indictment filed.

Commonwealth *vs.* Emery William Shaw. S. J. C. Murder. Prisoner discharged on his own recognizance. Indictment filed.

Commonwealth *vs.* William A. Lyons. S. J. C. Murder. Prisoner discharged on his own recognizance. Indictment filed.

#### PLYMOUTH COUNTY.

Commonwealth *vs.* Julia Sullivan. S. J. C. Illegal sale of intoxicating liquors. Exceptions (*autrefois acquit*). Argued, not yet decided.

Commonwealth *vs.* John Kane. S. J. C. Liquor nuisance. Exceptions (to rulings). Argued, not yet decided.

Commonwealth *vs.* Peter Murphy. S. J. C. Liquor nuisance. Exceptions (to rulings). Overruled.

Commonwealth *vs.* Lewis S. M. Glidden. S. J. C. Liquor nuisance. Exceptions. Overruled.

Commonwealth *vs.* Jeremiah F. Murphy. S. J. C. Falsely assuming to be an officer. Exceptions. Overruled.

Commonwealth *vs.* Henry Tolman. S. J. C. Report. Destruction of a dam by the use of dynamite. Judgment for the Commonwealth.

#### SUFFOLK COUNTY.

Commonwealth *vs.* Julius S. Smith. S. J. C. Sale of milk not of standard quality. Exceptions (to refusal of presiding justice to give rulings to questions). Sustained.

Commonwealth *vs.* Thomas Brennan. S. J. C. Murder. Defendant escaped from Taunton Lunatic Hospital, 1880, and his whereabouts is not known. Indictment to be filed.

- Commonwealth *vs.* Phillip Marzynski. S. J. C. Keeping open shop on the Lord's Day for the sale of tobacco. Exceptions (to rule that tobacco was a drug). Overruled.
- Commonwealth *vs.* Robert H. Shea. S. J. C. Liquor nuisance. Exceptions. Overruled.
- Commonwealth *vs.* James Lowery. S. J. C. Breaking and entering. Exceptions (misjoinder of offences). Overruled.
- Commonwealth *vs.* John Maloney. S. J. C. Larceny. Exceptions (to instructions). Overruled.
- Commonwealth *vs.* Leonard D. Drury. S. J. C. Assault and battery with a dangerous weapon. Exceptions (to rulings). Overruled.
- Commonwealth *vs.* William Hennessey, *alias* William Hensy. Murder of Catherine Hennessey, by beating. Pending.
- Commonwealth *vs.* James T. Lee. S. J. C. Obtaining goods by false pretences. Exceptions (to instructions on question of mortgage). Overruled.
- Commonwealth *vs.* Henry P. Line. S. J. C. Liquor nuisance. Exceptions (to admission of record of prior conviction). Overruled.
- Commonwealth *vs.* Joseph L. Gray. S. J. C. Illegal sale of oleomargarine. Exceptions (to ruling as to question of agency). Overruled.
- Commonwealth *vs.* Simon Rankin. S. J. C. Liquor nuisance. Exceptions (to ruling as to what constituted club house). Overruled.
- Commonwealth *vs.* Catherine Hallsiey. S. J. C. Illegal sale of intoxicating liquors. Exceptions. Overruled.
- Commonwealth *vs.* Patrick Mullen. S. J. C. Receiving stolen goods. Exceptions (to evidence and rulings). Overruled.
- Commonwealth *vs.* Simon S. Rankin. S. J. C. Liquor nuisance. Exceptions (to ruling upon question of club house). Overruled.
- Commonwealth *vs.* Maria DeLodge. S. J. C. Illegal sale of intoxicating liquors. Exceptions. Overruled.
- Commonwealth *vs.* Margaret Shea. S. J. C. House of ill-fame. Exceptions (motion to quash). Overruled.

*Commonwealth vs. Rachael Abrams.* S. J. C. Illegal sale of intoxicating liquors. Exceptions (to ruling that exchange constituted sale). Overruled.

*Commonwealth vs. Arthur E. Root.* S. J. C. Illegal sale of oleomargarine. Exceptions (to instructions). Not yet heard.

*Commonwealth vs. Charles Wilson.* S. J. C. Breaking and entering in the night time. Exceptions (to ruling). Not yet heard.

*Commonwealth vs. Fanny Allman and Stephen Wood.* S. J. C. Illegal sale of intoxicating liquor. Exceptions (to joinder of defendants). Not yet heard.

*Commonwealth vs. David Murray.* S. J. C. Larceny from the person. Exceptions (motion to quash). Not yet heard.

*Commonwealth vs. Annie Ducey.* S. J. C. Illegal sale of intoxicating liquors. Exceptions (to rulings). Not yet heard.

*Commonwealth vs. Dennis J. Bowen.* S. J. C. Illegal sale of intoxicating liquors. Exceptions (to rulings). Not yet heard.

#### WORCESTER COUNTY.

*Commonwealth vs. Peter Germain.* S. J. C. Illegal sale of intoxicating liquor. Exceptions (to sufficiency of evidence). Overruled.

*Commonwealth vs. Mary Neylon.* S. J. C. Illegal keeping of intoxicating liquor. Exceptions (to evidence). Overruled.

*Commonwealth vs. Catherine McCormick.* S. J. C. Illegal keeping of intoxicating liquor. Exceptions (to ruling upon sufficiency of license). Overruled.

*Commonwealth vs. Peter Cauley.* S. J. C. Illegal keeping of intoxicating liquor. Exceptions (to ruling upon sufficiency of license). Overruled.

*Commonwealth vs. Intoxicating Liquors, Patrick Gillon, claimant.* S. J. C. Liquor nuisance. Exceptions (to refusal to rule as to claimant's rights under mortgage). Overruled.

*Commonwealth vs. James Igoe.* S. J. C. Illegal keeping of intoxicating liquor. Exceptions (to ruling upon sufficiency of license). Overruled.

Commonwealth *vs.* John L. Keefe. S. J. C. Illegal keeping of intoxicating liquor. Exceptions (to ruling upon sufficiency of license; no rooms specified). Overruled.

Commonwealth *vs.* John Stratton. S. J. C. Liquor nuisance. Exceptions (to sufficiency of license). Sustained.

Commonwealth *vs.* Mark Tiernan. S. J. C. Illegal keeping of intoxicating liquor. Exceptions (to ruling as to license being void because of conviction of defendant). Overruled.

Commonwealth *vs.* Charles W. Cobleigh. S. J. C. Murder. Sent to insane hospital to await further action of the court, and subsequently transferred by Board of Lunacy and Charity to Bridgewater State Farm. Indictment to be filed.

Commonwealth *vs.* Dixon R. Cowie and Thomas B. McQuaid. S. J. C. Murder of Lilla A. Hoyle. Prisoners discharged on their own recognizance. Indictment filed.

Commonwealth *vs.* Michael Mahoney, *alias* Michael Whyte, *alias* Michael J. Wyte. S. J. C. Murder of Frank F. Spencer. Defendant pleaded guilty to murder in the second degree, and was sentenced to State Prison for life.

## REQUISITION PAPERS.

*Sent to this Department by His Excellency the Governor for Examination and Report thereon.*

- Jan. 4. On the governor of New York, for Lewis J. Ramos, for the crime of rape. Papers incomplete.
- Jan. 7. Same case. Papers still incomplete.
- Jan. 8. Same case. Advised to issue.
- Jan. 8. On the governor of Colorado, for Harry G. Stickney, *alias* Harry Gardner, for the crime of larceny. Advised to issue.
- Jan. 9. On the governor of New York, for William S. Reynolds, *alias* William Raymond, and Williams Edmond, James Minchin, for the crime of obtaining money by trick at cards and larceny.
- Jan. 19. On the governor of Pennsylvania, for Harry Taylor, for the crime of manslaughter. Advised not to issue.
- Jan. 21. Same case. Advised to issue.
- Jan. 23. From the governor of New Hampshire, for Stephen F. Brown, for the crime of entering a dwelling and committing an assault and battery upon an inmate thereof. Advised to issue.
- Jan. 23. On the governor of New York, for John Quackenbush, for the crime of larceny from the person. Advised to issue, having advised officer as to the necessary papers (on the day before).
- Jan. 30. From the governor of South Carolina, for H. Lee Minor, for the crime of assault and battery with intent to kill; carrying concealed weapons. Advised not to issue, there being no copy of the indictment.
- Feb. 2. Same case. Advised to issue.

- Feb. 5. On the governor of New York, for Walter F. Tobey, for the crime of larceny. Advised to issue.
- Feb. 11. On the governor of Pennsylvania, for Robert F. Davis, for the crime of concealing mortgaged personal property. Advised to issue, the papers having been amended.
- Feb. 26. On the governor of Ohio, for George E. C. Thornton, for the crime of obtaining money under false pretences. Advised to issue.
- March 11. From the governor of New Hampshire, for Ambrose Foisy, Daniel F. Hanlon and Joseph Moynahan, for the crime of promoting a set exhibition of the fighting of dogs.
- March 12. On the governor of Rhode Island, for John Doyle, *alias* John Hilton, for the crime of larceny. Advised to issue.
- March 13. On the governor of New York, for Samuel Chamberlain Vining, for the crime of larceny. Advised to issue.
- March 25. On the governor of New York, for Thomas Canarty, for the crime of assault and battery with a dangerous weapon. Papers held for amendment.
- March 26. Same case. Advised to issue.
- April 10. On the governor of New York, for George H. Morse, for the crime of embezzlement. Advised to issue.
- April 26. From the governor of New Jersey, for Richard Ross, for the crime of larceny from the person. Advised to issue.
- May 4. On the governor of New Hampshire, for Christopher Carter, for the crime of larceny. Advised to issue.
- May 6. From the governor of Illinois, for C. W. Mills, for the crime of larceny. No indictment. Advised not to issue.
- June 29. From the governor of California, for John B. Kenney, *alias* F. M. Dobe, J. B. Casey, for the crime of forgery. Advised to issue.
- July 8. From the governor of Vermont, for George W. Parker, for the crime of adultery. Advised to issue.

- July 12. On the governor of New Hampshire, for George E. Essex and Eugene Kelly, for the crime of larceny. Advised to issue.
- July 12. On the governor of New York, for Charles Randall, for the crime of breaking and entering in the night time, with intent to commit larceny. Advised to issue.
- July 17. On the governor of Connecticut, for George T. Bostwick, for the crime of keeping and maintaining a liquor nuisance. Advised to issue.
- July 17. On the governor of New York, for John H. Heaphy, for the crime of keeping and maintaining a liquor nuisance. Advised to issue.
- July 24. On the governor of New Hampshire, for James Harris, for the crime of larceny from the person. Advised to issue.
- July 22. On the governor of New York, for Joseph Fowler, for the crime of larceny. Advised to issue.
- July 30. On the governor of New York, for Evan T. Reed, *alias* Edward Dunn, for the crime of breaking and entering, and larceny. Advised to issue.
- Aug. 6. On the governor of New York, for John Eli Irving, for the crime of larceny. Advised to issue.
- Sept. 3. From the governor of New Hampshire, for James Lamaux, for the crime of larceny. Advised to issue.
- Sept. 11. On the governor of New York, for John R. Cummings, for the crime of forgery. Advised to issue.
- Sept. 18. On the governor of New York, for Harvey T. Stanley, for the crime of selling mortgaged property. Advised to issue.
- Oct. 3. On the governor of New York, for John Booth, for the crime of rape. Advised to issue, after amendment.
- Oct. 8. On the governor of New York, for James Morgan, *alias* Shang Campbell, for the crime of larceny. Advised to issue, after amendment.
- Oct. 8. On the governor of New York, for Joseph Shimberg, for the crime of larceny. Advised to issue.



- Oct. 21. On the governor of Missouri, for George A. Seelar, for the crime of larceny. Advised to issue.
- Oct. 31. On the governor of Rhode Island, for Thomas Frette, for the crime of breaking and entering in the night time, and larceny. Advised to issue.
- Dec. 5. On the governor of New York, for William Taylor, for the crime of larceny from a building.
- Dec. 6. From the governor of New York, for Henry A. Sargeant, for the crime of larceny. Advised to issue.
- Dec. 10. On the governor of New York, for William Taylor, for the crime of larceny from a building. Advised to issue.
- Dec. 12. On the governor of New Hampshire, for Edward M. Stenyan, for the crime of criminal libel. Advised not to issue; defendant not a fugitive from justice.
- Dec. From the governor of Kansas, for Martin Glenn and Catherine Green, for the crime of forgery.
- Dec. 20. On the governor of New York, for Max Hesty, for the crime of larceny. Advised to issue.

## CASES.

*Requiring the Attorney-General's Supervision, though not conducted by him.*

Attorney-General *ex rel.* vs. James O. Parker. S. J. C. Trust.  
Pending.

Attorney-General *ex rel.* vs. William B. Washburn *et al.* Charitable trust.

The Attorney-General *ex rel.* Hawes Place Congregational Church and the Second Hawes Congregational Society vs. Trustees of the Hawes Fund of Boston. S. J. C. Not yet heard.

West Parish in Barnstable *et al.* vs. the Inhabitants of the Town of Barnstable *et al.* and Attorney-General. S. J. C. Execution of school trust. Pending.

Attorney-General *ex rel.* Samuel Patch and William Guinan vs. Henry P. Sherman and Henry W. Howe, Commissioners of Public Buildings. *Quo warranto* to try title. Pending.

Francis J. Stratton *et al.* vs. the Attorney-General. S. J. C. Charitable trust. Pending.

George White, Executor, vs. City of Boston *et al.* Pending.

*In re* Estate of William Hale. Probate court. Claim of next of kin. Pending.

*In re* the Society for Promoting Christian Knowledge. Petition for transfer of funds. Pending.

*In re* Sarah C. Bent. Petition for interpretation of will of Sarah T. Chaplin. Pending.

The Attorney-General *ex rel.* Charles L. Ayer *et al.* vs. the Fiskdale Mills. Information for injunction to prevent drawing water from Alum Pond.

Trustees of William Appleton estate. Probate court. Petition for instructions as to will; change in investment of funds.

Petition of John J. Williams for leave to sell real estate in Lowell, Middlesex. S. J. C. Service accepted. Pending.

The Attorney-General *ex rel.* the Inhabitants of the Town of Ipswich *vs.* the Inhabitants of the Town of Essex. Information for an injunction restraining the digging of clams. Pending.

The Attorney-General *vs.* the Proprietors of Rowe's Wharf. S. J. C. Information for an injunction. Injunction *pendente lite* granted. Pending.

The Attorney-General *vs.* the Day Cordage Company. Information for an injunction. Pending.

The Attorney-General by information *vs.* the Inhabitants of Clinton. Public nuisance. Pending.

A. W. Greenleaf *vs.* Attorney-General. Construction of will. Brief filed. Decree entered sustaining trust.

Petition of T. H. Tyndale, public administrator, to sell land of Mary Cassiday (no heirs). Attorney-General files consent.

Commonwealth to the use of Ezra Farnsworth *vs.* Daniel LeBetter. Proceedings under Public Statutes, chapter 72, section 3. Upon examination, no action by Attorney-General deemed necessary.













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